

Part B State Annual Performance Report (APR) for 2008

Overview of the Annual Performance Report Development:

The Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the Annual Performance Report (APR)/State Performance Plan (SPP) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning: (a) the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises the RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The SEAC reviewed the draft and provided suggestions and input. These were incorporated into the final copy of this document. Progress and slippage in meeting the targets in the SPP are discussed in detail in each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link:

http://www.ride.ri.gov/Special_Populations/State_federal_regulations/Default.aspx. Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). This year per OSEP, RIDE will publicly report on Indicators 1, 2, 3, 4A, 5, 8, 9, 10, 11, 12, 13, and 14. This, per OSEP, will occur no later than June 2, 2010. The link to access Rhode Island's public reporting information which details the performance of each LEA on the targets in the SPP is: https://www.eride.ri.gov/eride2K5/SPED_PublicReporting/.

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of Suspension and Expulsion

Measurement:

Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

Percent = 2% [(1 district identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by (50 districts in the State)] times 100.

$$(1/50) \times 100 = 2\% \text{ of districts significantly discrepant}$$

Therefore, 98% of districts in the state have rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities that are **not significantly discrepant** from the mean of all district rates.

Significantly Discrepant: comparison of the risk of a district's special education students to be suspended for more than 10 days to the risk of the district's general education students to be suspended for more than 10 days to obtain a risk ratio. Districts with a risk ratio of 2.5 or higher for 2 consecutive years and a minimum cell size of 10 students would be considered significantly discrepant.

FFY	Measurable and Rigorous Target
(2008)	6% of districts in the state will have rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities that are not significantly discrepant from the mean of all district rates.

Actual Target Data for (2008):

Data Year	Number of LEAs w/Significant Discrepancy (Actual Target Data)	Number of LEAs where Review Resulted in Noncompliance
FFY 2008	1	0
FFY 2007	2	2
FFY 2006	3	3
FFY 2005	4	4

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2007):

Improvement Activities Completed FY2005 The four LEAs with significant discrepancies for rates of suspensions were required to report plans for reducing the rate of suspension of children with disabilities in their consolidated resource plans submitted June 1, 2007. These district reports included revisions in policies, procedures, and practices as part of correction of non-compliance relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA. For those districts,

revisions of policies, procedures, and practices were monitored and continue to be monitored by the RI Commissioner of Education and the Director of the Office for Diverse Learners through the district Corrective Action Plan and District Negotiated Agreement. In addition, three districts participate in the statewide Positive Behavior Intervention and Support Project (PBIS) district-wide.

Improvement Activities Completed FY2006 The three LEAs with significant discrepancies for rates of suspensions were required to report plans for reducing the rate of suspension of children with disabilities in their consolidated resource plans submitted June 1, 2008. These district reports included revisions in policies, procedures, and practices as part of correction of non-compliance relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA. For two districts, correction of non-compliance was verified during School Support System focused monitoring process. For the third district, revisions of policies, procedures, and practices were monitored and continue to be monitored by the RI Commissioner of Education and the Director of the Office for Diverse Learners through the district Corrective Action Plan and District Negotiated Agreement. In addition, this district has begun to participate in the statewide Positive Behavior Intervention and Support Project (PBIS) district-wide.

Improvement Activities Completed FY2007 The two LEAs with significant discrepancies for rates of suspensions are required to report plans for reducing the rate of suspension of children with disabilities in their consolidated resource plans to be submitted June 1, 2009. One district is outstanding from FFY06 and is currently participating in technical assistance from RIDE in collaboration with the Sherlock Center on Disabilities PBIS project. RIDE expects that the June 2009 submission of the Consolidated Resource Plan/Acelegrants will demonstrate correction of noncompliance for this LEA relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA. The second district had not been discrepant in this area in the FFY06 reporting. This district received additional technical assistance relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA from RIDE this spring. During this TA, RIDE and the district discovered that school staff were incorrectly reporting in-school interim behavior programs as an out of school suspension. When correctly counted, the district is not discrepant on this indicator.

Improvement Activities Completed FY 2008

Districts that showed significant discrepancy for suspensions and expulsions greater than 10 days for students with IEPs completed a self-assessment of their policies, procedures and practices to identify those that might contribute to the significant discrepancy and that do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral supports, and procedural safeguards. As a result, one district hired additional staff, including a part-time behavioral specialist and school psychologist to address these issues. They continued to address issues relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA through the use of their ARRA funding. A data collection error was found in the spring of 2009, where the district was counting students placed in an in-school interim behavior program as out of school suspensions. This brings them into compliance and eliminates the significant discrepancy for suspensions and expulsions greater than 10 days for students with IEPs as compared to students without IEPs.

The second district that showed a significant discrepancy for FFY 2007 completed year 2 of implementing an inclusion model with significant emphasis and training on co-teaching at the secondary level to better engage students in the classroom thereby reducing disciplinary issues.

Explanation of Progress/Slippage The decrease in the number of districts that are significantly discrepant for suspensions and expulsions greater than 10 days is likely explained by the

implementation of self-assessment, action plans and changes in staffing and programming. LEAs with significant discrepancies for rates of suspensions were required to report plans for reducing the rate of suspension of children with disabilities in their consolidated resource plan due June 1, 2009 including revisions in policies, procedures, and practices as part of correction of non-compliance. Although a data collection error was discovered while RIDE was providing technical assistance, the district is continuing to address these issues. They will use ARRA money to hire additional staff to support students with IEPs with behavioral issues. Behavior specialists and social workers will be hired to develop plans and provide additional training to staff to support student progress and achievement.

As part of the CRP process, all districts are required to complete an annual self-assessment and evidence checklist of their policies, procedures and practices relating to the development of IEPs, the use of positive behavioral supports and interventions, and procedural safeguards.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for *(Insert FFY)*
[If applicable]

No revisions at this time.